



Australian Government

# **PSPTIS093 Use complex legal terminology in interpreting (LOTE-English)**

Release: 1

## PSPTIS093 Use complex legal terminology in interpreting (LOTE-English)

### Modification History

| Release | Comments                                                                                                                |
|---------|-------------------------------------------------------------------------------------------------------------------------|
| 1       | This unit was released in PSP Public Sector Training Package release 1.0 and meets the Standards for Training Packages. |

### Application

This unit describes the skills required to understand and use complex legal terminology in English and a LOTE sufficient to interpret between the two languages in complex dialogue or monologue settings in specialist legal and policing contexts.

This unit applies to those working as interpreters in a range of complex legal and policing contexts. The interpreter may be required to interact with members of the general public interacting with police, lawyers, the judiciary and court staff.

The skills and knowledge described in this unit must be applied within the legislative, regulatory and policy environment in which they are carried out. Organisational policies and procedures must be consulted and industry codes and standards for ethical translating and interpreting adhered to.

Those undertaking this unit would work independently using support resources as required, while performing complex tasks in a range of legal and policing contexts.

No licensing, legislative or certification requirements apply to unit at the time of publication.

### Competency Field

Translating and interpreting

### Elements and Performance Criteria

| ELEMENTS                                 | PERFORMANCE CRITERIA                                                                                                                                                                                    |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Elements describe the essential outcomes | Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the range of conditions section. |

|                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Identify the context of legal terminology</b>                      | 1.1 Identify key features of the legal and judicial system, including key people and structures.<br>1.2 Describe standard procedures specific to oral communication in formal legal and policing contexts.<br>1.3 Outline the role and responsibilities of interpreters and others in legal and policing contexts.<br>1.4 Identify social, cultural and professional conventions of English and LOTE appropriate to legal and judicial contexts.<br>1.5 Explain the consequences of oral rendition of fixed texts and use of incorrect legal terminology. |
| <b>2. Extend understanding of legal terminology</b>                      | 2.1 Recognise and explain complex legal terminology and key legal concepts and processes in English and LOTE.<br>2.2 Establish standard translations for fixed text encountered in policing and judicial contexts that correctly reflect underlying common law principles.<br>2.3 Research and increase knowledge of complex legal terminology in English and LOTE.<br>2.4 Spell and pronounce complex legal terminology correctly.                                                                                                                       |
| <b>3. Use appropriate oral or signed communication in legal contexts</b> | 3.1 Receive and understand oral or signed questions and answers using complex English and LOTE legal terminology.<br>3.2 Seek clarification of use and meaning of terms and associated processes.<br>3.3 Use a range of complex English and LOTE legal vocabulary and expressions in interpreting.<br>3.4 Use prosodic features, gestures and body language appropriate to the legal and policing context.                                                                                                                                                |

## Foundation Skills

The foundation skills demands of this unit have been mapped for alignment with the Australian Core Skills Framework (ACSF). The following tables outline the performance levels indicated for successful attainment of the unit.

ACSF levels indicative of performance:

|             |   |   |   |   |         |   |   |   |   |         |   |   |   |   |                    |   |   |   |   |             |   |   |   |   |
|-------------|---|---|---|---|---------|---|---|---|---|---------|---|---|---|---|--------------------|---|---|---|---|-------------|---|---|---|---|
| 1           | 2 | 3 | 4 | 5 | 1       | 2 | 3 | 4 | 5 | 1       | 2 | 3 | 4 | 5 | 1                  | 2 | 3 | 4 | 5 | 1           | 2 | 3 | 4 | 5 |
| Learning NA |   |   |   |   | Reading |   |   |   |   | Writing |   |   |   |   | Oral communication |   |   |   |   | Numeracy NA |   |   |   |   |

Performance variables:

|         |   |   |   |   |         |   |   |   |   |                 |   |   |   |   |                 |   |   |   |   |
|---------|---|---|---|---|---------|---|---|---|---|-----------------|---|---|---|---|-----------------|---|---|---|---|
| 1       | 2 | 3 | 4 | 5 | 1       | 2 | 3 | 4 | 5 | 1               | 2 | 3 | 4 | 5 | 1               | 2 | 3 | 4 | 5 |
| Support |   |   |   |   | Context |   |   |   |   | Text complexity |   |   |   |   | Task complexity |   |   |   |   |

Further information on ACSF and the foundation skills underpinning this unit can be found in the Foundation Skills Guide on the GSA website.

## Unit Mapping Information

No equivalent unit.

## Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=bebbece7-ff48-4d2c-8876-405679019623>

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## Assessment Requirements for PSPTIS093 Use complex legal terminology in interpreting (LOTE-English)

### Modification History

| Release | Comments                                                                                                                                    |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 1       | These Assessment Requirements were released in PSP Public Sector Training Package release 1.0 and meet the Standards for Training Packages. |

### Performance Evidence

Evidence required to demonstrate competence must satisfy all of the requirements of the elements and performance criteria. If not otherwise specified, the candidate must demonstrate evidence of performance of the following on at least two occasions.

- using social, cultural and professional conventions applicable to the languages being used in legal and policing contexts, including:
  - customs, protocols and taboos
  - dialect, idiom, colloquialisms and language conventions
  - social conventions and consistent use of forms of address

### Knowledge Evidence

Evidence required to demonstrate competence must satisfy all of the requirements of the elements and performance criteria. If not otherwise specified, the depth of knowledge demonstrated must be appropriate to the job context of the candidate.

- areas of law
- upper court, review tribunals and complex legal processes
- legal and financial consequences of incorrect interpreting
- hierarchy of courts and tribunals
- key documentation relevant to policing, legal and judicial processes
- legal privilege
- legal systems, including common law and code law
- information sources for increasing legal knowledge and terminology
- legal principles relating to the role of the interpreter, including the right of a defendant to be 'linguistically present'
- procedures for preparing affidavits and other legal documentation and legal cases
- relevant legislation, government policies and court guidelines
- WHS relevant to working in legal and policing contexts, including personal safety and fatigue

## Assessment Conditions

Assessment of this unit of competency must include interpreting in real or simulated complex dialogue or monologue settings in specialist legal and policing contexts.

Consideration must be given to holistic assessment for this unit. Refer to advice in the companion volumes.

Assessors must satisfy the NVR/AQTF mandatory competency requirements for assessors.

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